

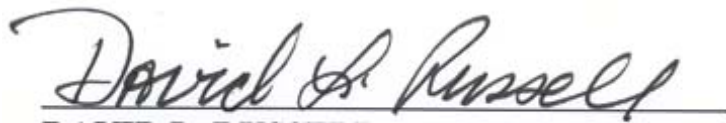
**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

<b>ERIK CHRISTIAN PINKSTON,</b>	)	
	)	
<b>Petitioner,</b>	)	
	)	
<b>v.</b>	)	<b>CIV-06-884-R</b>
	)	
<b>JOSEPH SCIBANA,</b>	)	
	)	
<b>Respondent.</b>	)	

**ORDER**

Before the Court is the Report and Recommendation of United States Magistrate Judge Bana Roberts entered September 29, 2006. No objection to the Report and Recommendation has been filed nor has an extension of time in which to object been sought or granted. Therefore, the Report and Recommendation is ADOPTED in its entirety and this action is DISMISSED without prejudice to refiling for failure to pay the filing fee and comply with the Court's Order of August 25, 2006.

**It is so ordered this 7<sup>th</sup> day of November, 2006.**

  
**DAVID L. RUSSELL**  
**UNITED STATES DISTRICT JUDGE**